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TRANSMITTAL FORM

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| Application Number | 10/798,838 |
| Filing Date | March 12, 2004 |
| First Named Inventor | GORNUSHKIN, IGOR B. |
| Art Unit | 2877 |
| Examiner Name | K. GEISEL |
| Attorney Docket Number | T2315-908017US01 |

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

| | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Issue Fee – Part B – Fee(s) Transmittal <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-1165 (T2315-908017US01) for the above identified docket number. |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|--------------|--------------------------------|
| Firm Name | Customer No. 000181 |
| Signature | |
| Printed Name | Jason H. Vick, Reg. No. 45,285 |
| Date | January 5, 2006 |

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Attorney Docket No. T2315-908017US01

**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE – EXAMINING GROUP 2877**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

First Named Inventor: GORNUSHKIN, IGOR B.

Art Unit: 2877

Appln. No.: 10/798,838

Examiner: K. Geisel

Filed: March 12, 2004

Confirmation No.: 5022

For: MATERIAL IDENTIFICATION
EMPLOYING A GRATING SPECTROMETER

* * *

REQUEST FOR RECONSIDERATION AFTER FINAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 5, 2005, Applicants respectfully request reconsideration based on the following remarks.

The Office Action rejects Claims 1, 5-8, 10-11, 15-18, and 20-21 under 35 U.S.C. § 103(a) as unpatentable over Li in view of Carlson. Claims 2 and 12 are rejected under 35 U.S.C. § 103(a) as unpatentable over Li in view of Carlson and further in view of Day. Claims 3-4, 9, 13, 14, and 19 are rejected under 35 U.S.C. § 103(a) as unpatentable over Li in view of Carlson and further in view of Gornushkin.

Independent Claim 1 is directed toward a method for identifying an unknown material. The method comprises obtaining a multi-order spectrum a sample of said unknown material, comparing the multi-order spectrum to multi-order spectra for known